

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

TERESA CHEN,

Plaintiff,

v.

GRANT COUNTY; and D. ANGUS LEE,  
individually; and TAMMIE L.  
HECHLER,

## Defendants.

NO. CV-09-0329-EFS

ORDER DENYING DEFENDANTS' MOTION  
FOR AN INJUNCTION PURSUANT TO 28  
U.S.C. 2283

A pretrial conference occurred in the above-captioned matter on July 27, 2011, in Richland, Washington. Steven C. Lacy appeared on Plaintiff Teresa Chen's behalf; Defendants Grant County, D. Angus Lee, and Tammie L. Hechler were represented by Michael McFarland. Before the Court was Defendants' Motion for an Injunction Pursuant to 28 U.S.C. § 2283, ECF No. 98. On March 3, 2011, the Court dismissed Plaintiff's Family Medical Leave Act (FMLA), 29 U.S.C. 2611 et seq., claims - the basis for this Court's federal-question jurisdiction - but retained supplemental jurisdiction over Plaintiff's remaining state-law claims so that Plaintiff's "day in court" would not be delayed. ECF No. 81. And on March 24, 2011, the Court allowed Plaintiff to amend her Complaint to add a claim under Washington's Family Leave Act (WFLA), RCW 49.78 et seq. ECF No. 93. Plaintiff did not amend her Complaint but instead

1 filed suit in Chelan County Superior Court, asserting a WFLA claim  
2 against Grant County on March 31, 2011. See ECF No. 100, Ex. 1.

3 Defendants ask the Court to enter a permanent injunction under 28  
4 U.S.C. § 2283, staying the related Chelan County Superior Court  
5 proceedings because a subsequent state-court judgment on Plaintiff's  
6 WFLA claim could conflict with this Court's previous dismissal of  
7 Plaintiff's FMLA claim. Plaintiff opposes an injunction.<sup>1</sup>

8 At the hearing, the parties stipulated that Plaintiff would dismiss  
9 the Chelan County Superior Court proceedings with prejudice, thereby  
10 removing any potential conflict. Based on this stipulation, **IT IS**  
11 **HEREBY ORDERED:** Defendants' Motion for an Injunction Pursuant to 28  
12 U.S.C. § 2283, **ECF No. 98**, is **DENIED AS MOOT**.

13 **IT IS SO ORDERED.** The District Court Executive is directed to  
14 enter this Order and provide copies of this Order to counsel.

15 **DATED** this 28th day of July 2011.

16  
17 s/Edward F. Shea  
18 EDWARD F. SHEA  
19 UNITED STATES DISTRICT JUDGE

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25 <sup>1</sup> In the alternative, both parties ask the Court to dismiss  
26 Plaintiff's state-law claims so they can be re-filed in Chelan County  
27 Superior Court, where all her claims can proceed together.